

NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANDREW EMIL ARMSTRONG,

No. C 07-6251 JF (PR)

Plaintiff,

ORDER GRANTING LEAVE TO
PROCEED IN FORMA PAUPERIS

v.

B. CURRY, Warden, et al.,

Defendants.

(Docket Nos. 3, 5)

Plaintiff's motion to proceed in forma pauperis (docket no. 3) is GRANTED. The total filing fee that ultimately will be due is \$ 350.00. In view of Plaintiff's lack of income and low account balance over the last six months, no initial partial filing fee is due. Funds for the filing fee will be taken from income to Plaintiff's account in accordance with 28 U.S.C. § 1915(B)(1). A copy of this Order and the attached instructions will be sent to Plaintiff, the prison trust account office, and the Court's financial office.

This order terminates Docket Nos. 3, 5.

IT IS SO ORDERED.

DATED: 5/8/08


JEREMY FOGEL
United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

3 INSTRUCTIONS FOR PAYMENT OF PRISONER'S FILING FEE

4 The prisoner shown as the plaintiff or petitioner on the attached order has filed a civil action
5 in forma pauperis in this court and owes to the court a filing fee. Pursuant to 28 U.S.C. §
6 1915, the fee is to be paid as follows:

7 The initial partial filing fee listed on the attached order should be deducted by the
8 prison trust account office from the prisoner's trust account and forwarded to the clerk
9 of the court as the first installment payment on the filing fee. This amount is twenty
10 percent of the greater of (a) the average monthly deposits to the prisoner's account for
11 the 6-month period immediately preceding the filing of the complaint/petition or (b)
12 the average monthly balance in the prisoner's account for the 6-month period
13 immediately preceding the filing of the complaint/petition.

14 Thereafter, on a monthly basis, 20 percent of the preceding month's income credited
15 to the prisoner's trust account should be deducted and forwarded to the court each
16 time the amount in the account exceeds ten dollars (\$10.00). The prison trust account
17 office should continue to do this until the filing fee has been paid in full.

18 If the prisoner does not have sufficient funds in his/her account to pay the initial partial filing
19 fee, the prison trust account office should forward the available funds, and carry the balance
20 forward each month until the amount is fully paid.

21 If the prisoner has filed more than one complaint, (s)he is required to pay a filing fee for each
22 case. The trust account office should make the monthly calculations and payments for each
23 case in which it receives an order granting in forma pauperis and these instructions.

24 **The prisoner's name and case number must be noted on each remittance.** The initial
25 partial filing fee is due **within thirty days** of the date of the attached order. Checks should
26 be made payable to Clerk, U.S. District Court and sent to Prisoner Accounts Receivable, U.S.
27 District Court, 450 Golden Gate Avenue, Box 36060, San Francisco, CA 94102.

28 cc: Plaintiff/Petitioner
Finance Office